

237491



DEPARTMENT OF THE NAVY  
OFFICE OF THE GENERAL COUNSEL  
NAVY LITIGATION OFFICE  
720 KENNON STREET SE RM 233  
WASHINGTON NAVY YARD DC 20374-5013

July 2, 2012

Jocelyn Boyd, Chief Clerk  
Public Service Commission of South Carolina  
Post Office Drawer 11649  
Columbia, SC 29211

Re: Application of South Carolina Electric & Gas Company  
For Adjustments and Increases in its Electric Rate Schedules and Tariffs  
DOCKET NO. 2012-218-E

Dear Ms. Boyd:

Enclosed please find a Petition to Intervene on behalf of the Navy and all Federal Executive Agencies (FEA).

Communications concerning this Petition should be directed to:

Ellen M. Evans,  
Senior Trial Attorney.  
Navy Litigation Office  
720 Kennon St., Bldg. 36, Room 233  
Washington Navy Yard, DC 20374-5013  
(202 685-2235  
[ellen.evans@navy.mil](mailto:ellen.evans@navy.mil)

Dr. Kay Davoodi  
Utility Rates and Studies Office  
NAVFACHQ-Bldg. 33  
1322 Patterson Ave., SE  
Washington Navy Yard, D.C. 20374-5065  
[Khojasteh.Davoodi@navy.mil](mailto:Khojasteh.Davoodi@navy.mil)

Larry R. Allen  
Utility Rates and Studies Office  
NAVFACHQ-Bldg. 33  
1322 Patterson Ave., SE  
Washington Navy Yard, D.C. 20374-5065  
[Larry.r.allen@navy.mil](mailto:Larry.r.allen@navy.mil)

Brubaker & Associates, Inc.  
Nick Phillips (witness)  
P.O. Box 412000

RECEIVED

REC'D  
MAIL / DMS

St. Louis, Missouri 63141-2000  
[mbrubaker@consultbai.com](mailto:mbrubaker@consultbai.com)  
[nphillips@consultbai.com](mailto:nphillips@consultbai.com)

Sincerely,

A handwritten signature in black ink, appearing to read "Ellen M. Evans", written in a cursive style.

Ellen M. Evans  
Senior Trial Attorney

cc:  
service list

**BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA**

**DOCKET NO. 2012-218-E**

In Re: Application of South Carolina Electric & Gas Company  
For Adjustments in the Company's Electric Rate Schedule and Tariffs  
and Request for Mid-Period Reduction in Base Rates for Fuel

**Petition to Intervene**

The Federal Executive Agencies (the FEA), pursuant to § 103-825 of the South Carolina Code of Regulations, hereby petition to intervene in this case. As significant consumers of electricity in South Carolina, the FEA have a direct and material interest in the issues to be addressed by the Commission in this docket. Accordingly, we ask to be allowed to intervene and participate fully in this matter.

We plan to present one witness. In addition, we request the opportunity to submit comments, receive copies of the pleadings of other participants, receive copies of discovery requests and responses filed by the other participants, and, if appropriate, to submit reply comments and testimony, and briefs, as well as to cross-examine witnesses at any hearing(s) scheduled in this matter. Allowing the FEA to participate will encourage maximum public participation before the Commission and enhance the development of a full and complete record.

WHEREFORE, it is respectfully requested that the Commission allow the FEA to intervene in this proceeding for all purposes.

Copies of all communications and correspondence concerning this Petition to Intervene should be directed to:

Ellen M. Evans  
Senior Trial Attorney

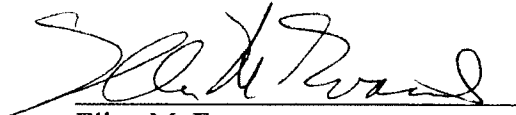
Navy Litigation Office  
720 Kennon St., Bldg. 36, Room 233  
Washington Navy Yard, DC 20374-5013  
(202) 685-2235  
[ellen.evans@navy.mil](mailto:ellen.evans@navy.mil)

Dr. Kay Davoodi, P.E.  
Utility Rates and Studies Office  
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1322 Patterson Ave., SE  
Washington Navy Yard, D.C. 20374-5065  
[Khojasteh.Davoodi@navy.mil](mailto:Khojasteh.Davoodi@navy.mil)

Larry R. Allen  
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1322 Patterson Ave., SE  
Washington Navy Yard, D.C. 20374-5065  
[Larry.r.allen@navy.mil](mailto:Larry.r.allen@navy.mil)

Brubaker & Associates, Inc.  
Nick Phillips (witness)  
P.O. Box 412000  
St. Louis, Missouri 63141-2000  
[mbrubaker@consultbai.com](mailto:mbrubaker@consultbai.com)  
[nphillips@consultbai.com](mailto:nphillips@consultbai.com)

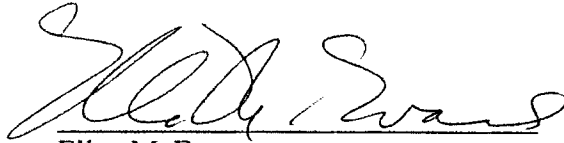
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ellen M. Evans", written over a horizontal line.

Ellen M. Evans  
Senior Trial Attorney  
Navy Litigation Office  
720 Kennon St., Room 233  
Washington Navy Yard, DC 20374-5013  
(202) 685-2235  
[ellen.evans@navy.mil](mailto:ellen.evans@navy.mil)

CERTIFICATE OF SERVICE

I certify that on the 2<sup>nd</sup> of July, 2012 I have provided a copy of the foregoing Petition to Intervene on behalf of the Navy and FEA to each person on the Service List for this proceeding.

A handwritten signature in black ink, appearing to read "Ellen M. Evans", written over a horizontal line.

Ellen M. Evans  
Senior Trial Attorney  
Counsel for the Secretary  
of the Navy and FEA

SERVICE LIST for DOCKET 2012-218-E:

K. Chad Burgess  
SCANA Corp.  
220 Operation Way MC C22  
Cayce, SC 29033

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Dan Arnett  
John W. Flitter  
Nanette S. Edwards, Esq.  
Jeffrey M. Nelson, Esq.  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, SC 29201



**U.S. Department of Justice**

*United States Attorney*

*District of South Carolina*

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Wachovia Building  
Suite 500  
1441 Main Street  
Columbia, SC 29201  
(803) 929-3000  
FAX (803) 254-2912

151 Meeting Street  
Suite 200  
Post Office Box 978  
Charleston, SC 29402  
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FAX (843) 727-4443

John L. McMillan Federal  
Building, Room 222  
401 W. Evans Street  
Post Office Box 1567  
Florence, SC 29503  
(843) 663-6688  
FAX (843) 678-8809

105 N. Spring Street  
Suite 200  
Post Office Box 10067  
Greenville, SC 29603  
(864) 282-2100  
FAX (864) 233-3158

Reply to: Columbia

June 28, 2012

Ellen M. Evans  
Senior Trial Attorney  
Department of the Navy  
Office of the General Counsel  
720 Kennon Street, SE, Rm 233  
Washington Navy Yard, DC 20374-5013

Dear Ms. Evans:


Pursuant to 28 U.S.C. § 543, effective the date of this letter you are hereby appointed as a Special Assistant United States Attorney for the District of South Carolina, subject to the following conditions:

1. You are appointed to represent the interests of the Navy and FEA before the South Carolina Public Service Commission.
2. The appointment expires on June 27, 2013 unless extended.
3. You will report to and act under the direction of our Civil Chief, Barbara Bowens, with regard to any matters handled.
4. You understand and agree to serve without compensation other than that which you are now receiving under your existing appointment.
5. This appointment may be terminated at any time without cause or notice.
6. You must execute and return to the Personnel Staff within 14 days the enclosed Appointment Affidavit containing the oath of office, Statement of Appointment Conditions, and a signed copy of this letter. Your signature in the space provided below acknowledges your agreement to the terms and conditions of this appointment.

Special Assistants are subject to completing a monthly resource summary report (USA-5). The forms used for this report, along with guidance for completion, are attached. Please ensure that one USA-5 form for each Special Assistant is returned to this office by the 5<sup>th</sup> day of each month. The form should be faxed to Karen Martin, U.S. Attorney's Office at (803)254-2889.

If you have any questions regarding this appointment, please contact Juanita Cumberbatch in our Personnel Office at (803)929-3098. If you have questions specifically regarding the USA-5 report, please contact Ms. Martin at (803)929-3100.

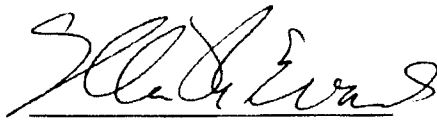
Sincerely,



William N. Nettles  
United States Attorney

Enclosures

The foregoing terms and conditions are hereby agreed to and accepted:



Ellen M. Evans

Date: 6/28/2012



## APPOINTMENT AFFIDAVITS

Special Assistant U.S. Attorney  
(Position to which Appointed)

06/28/2012  
(Date Appointed)

Department of Justice  
(Department or Agency)

U.S. Attorney's Office  
(Bureau or Division)

Columbia, South Carolina  
(Place of Employment)

I, Ellen M. Evans, do solemnly swear (or affirm) that--

### A. OATH OF OFFICE

I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

### B. AFFIDAVIT AS TO STRIKING AGAINST THE FEDERAL GOVERNMENT

I am not participating in any strike against the Government of the United States or any agency thereof, and I will not so participate while an employee of the Government of the United States or any agency thereof.

### C. AFFIDAVIT AS TO THE PURCHASE AND SALE OF OFFICE

I have not, nor has anyone acting in my behalf, given, transferred, promised or paid any consideration for or in expectation or hope of receiving assistance in securing this appointment.

  
(Signature of Appointee)

Subscribed and sworn (or affirmed) before me this 28th day of June, 2012

at Washington  
(City)

DC  
(State)

**Garren L. Diggs**  
**Notary Public, District of Columbia**  
(SEAL) **My Commission Expires 3/31/2015**

  
(Signature of Officer)

Commission expires 3/31/2015  
(If by a Notary Public, the date of his/her Commission should be shown)

\_\_\_\_\_  
(Title)

Note - If the appointee objects to the form of the oath on religious grounds, certain modifications may be permitted pursuant to the Religious Freedom Restoration Act. Please contact your agency's legal counsel for advice.